

UNITED STATES DISTRICT COURT W. D. OF WASHINGTON AT TACOMA

1 UNITED STATES OF AMERICA,

2 Plaintiff,

v.

3 TIMOTHY JAMES LEVENS,

4 Defendant.

Case No. MJ09-5260

DETENTION ORDER

6 THE COURT, having conducted a detention hearing pursuant to 18 U.S.C. §3142, finds that no condition or combination of
7 conditions which defendant can meet will reasonably assure the appearance of the defendant as required and/or the safety of any
other person and the community.

8 This finding is based on 1) the nature and circumstances of the offense(s) charged, including whether the offense is a crime
9 of violence or involves a narcotic drug; 2) the weight of the evidence against the person; 3) the history and characteristics of the
person including those set forth in 18 U.S.C. § 3142(g)(3)(A)(B); and 4) the nature and seriousness of the danger release would impose
to any person or the community.

11 *Findings of Fact/ Statement of Reasons for Detention*

12 Presumptive Reasons/Unrebutted:

- () Conviction of a Federal offense involving a crime of violence. 18 U.S.C. §3142(f)(A)
() Potential maximum sentence of life imprisonment or death. 18 U.S.C. §3142(f)(B)

13 Safety Reasons:

- () Defendant is currently on probation/supervision resulting from a prior offense.
() Defendant was on bond on other charges at time of alleged occurrences herein.
() Defendant's prior criminal history.

16 Flight Risk/Appearance Reasons:

- () Defendant's lack of sufficient ties to the community.
() Bureau of Immigration and Customs Enforcement detainer.
() Detainer(s)/Warrant(s) from other jurisdictions.
() Failures to appear for past court proceedings.
() Past conviction for escape.

19 Other:

- 20 (✓) Defendant stipulated to detention without prejudice and for reasons contained in the Government's Motion for Detention.

21 *Order of Detention*

- 22 ▶ The defendant shall be committed to the custody of the Attorney General for confinement in a corrections facility separate,
to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal.
23 ▶ The defendant shall be afforded reasonable opportunity for private consultation with counsel.
24 ▶ The defendant shall on order of a court of the United States or on request of an attorney for the Government, be delivered
to a United States marshal for the purpose of an appearance in connection with a court proceeding. This Order is entered
without prejudice to review.

25 November 19, 2009.

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28 J. Richard Creatura, United States Magistrate Judge